DETAILED ACTION

1. This action is responsive to the communications filed 6/15/05. Claims 1-40 have been presented for examination.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

3. Claim 28 is objected to because of the following informalities: There is a typographical mistake; "acessinig" should be re-written as "accessing". Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 7, 10, 20, 27-28, 30 and 40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "substantially" in claims 20 and 40 is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be

reasonably apprised of the scope of the invention. For the remainder of this action, the term will be given its broadest reasonable interpretation.

Claims 7, 10, 27 and 30 recite the limitation "the remaining". There is insufficient antecedent basis for this limitation in the claim.

Claim 28 recites the limitation "the starting point" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-2, 4-8, 10-14, 16-22, 24-28, 30-34, and 36-40 are rejected under 35 U.S.C. 102(b) as being taught by Mostafa (US Pub No 2002/0073205 A1).

As to claim 1, Mostafa teaches a mobile terminal, comprising:

means for receiving a notification of an incoming multimedia message (0096, receiving terminals are notified of media content availability);

means for determining whether the incoming message contains rich media contents (0096-0098, 0104, a notification containing presentation description is sent via a multimedia message);

and means for downloading a portion of the incoming message having a pre-determined duration for a user to view on the terminal, if the message contains rich media contents (0099, 0104-0107, a portion of the media content within the multimedia message is streamed to the user (i.e. in sub-parts) based on user permission and selection of whether and when to receive playback of media content).

As to claim 2, Mostafa teaches the terminal of claim 1, wherein the determining means includes means for parsing an attachment of the notification to determine whether the message contains rich media contents, the attachment containing information about a media type of the incoming message (0104-0105).

As to claim 4, Mostafa teaches the terminal of claim 1, further comprising means for displaying the downloaded portion of the incoming message on the terminal, in response to a user's command (0107).

As to claim 5, Mostafa teaches the terminal of claim 4, further comprising: a storage element and means for saving the downloaded portion of the incoming message on the storage element (0102-0105).

As to claim 6, Mostafa teaches the terminal of claim 1, further comprising means for notifying a user of the incoming message (0096, 0103-0104).

As to claim 7, Mostafa teaches the terminal of claim 1, further comprising means for accessing the remaining of the incoming message (0105-0108).

As to claim 8, Mostafa teaches the terminal of claim 7, wherein the accessing means includes means for modifying an attachment file to the incoming message to indicate a starting point of the incoming message for accessing by the accessing means (0027, 0098-0099, 0114).

As to claim 10, Mostafa teches the terminal of claim 1, further comprising means for connecting the terminal to a server storing the incoming message for accessing the remaining of the incoming message (0105-0107);

wherein the pre-determined duration is sufficiently long for the connecting means to connect the terminal to the server so as to allow the user to view the whole incoming message in a continuous manner (0099, 0105, 0114).

As to claim 11, Mostafa teaches a multimedia message service server, comprising:

means for receiving an incoming multimedia message (0096-0098, multimedia messages with multimedia content are received);

means for determining whether the incoming message contains rich media contents (0096-0098, 0104, a notification containing presentation description is sent via a multimedia message);

and means for delivering a new multimedia message to a receiving mobile terminal, if the incoming message contains rich media contents (0099, 0104-0108, a portion of the media content within the multimedia message is streamed to the user (i.e.

in sub-parts) based on user permission and selection of whether and when to receive playback of media content and additional clips are also provided).

As to claim 12, Mostafa teaches the server of claim 11, wherein the new multimedia message includes a portion of the incoming message having a pre-determined duration (0105, 0108).

As to claim 13, Mostafa teaches the server of claim 11, wherein the new multimedia message includes an advertisement having a pre-determined duration (0096-0097, 0108).

As to claim 14, Mostafa teaches the server of claim 11, further comprising means for creating an attachment file to the new multimedia message, indicating where the incoming message may be accessed (0104).

As to claim 16, Mostafa teaches the server of claim 11, further comprising means for creating the new multimedia message (0012, 0027-0028, 0096).

As to claim 17, Mostafa teaches the server of claim 16, further comprising: means for saving the incoming message in a pre-selected location (0103);

and means for copying a portion of the incoming message for including in the new multimedia message (0105-0106).

As to claim 18, Mostafa teaches the server of claim 17, wherein the pre-selected location is in a storage element of a media server (0102-0103).

As to claim 19, Mostafa teaches the server of claim 12, wherein the pre-determined duration is sufficiently long for the receiving mobile terminal to connect to a server storing the incoming message so as to allow the user to view the whole incoming message on the terminal in a continuous manner (0099, 0105, 0114).

As to claim 20, Mostafa teaches the server of claim 13, wherein the pre-determined duration is as long as is substantially required for the receiving mobile terminal to connect to a server storing the incoming message so as to allow the user to view the whole incoming message on the terminal in a substantially continuous manner (0099, 0105, 0114).

As to claim 21, Mostafa teaches a method performed at a mobile terminal, comprising the steps of:

receiving a notification of an incoming multimedia message (0096, receiving terminals are notified of media content availability);

determining whether the incoming message contains rich media contents (0096-0098, 0104, a notification containing presentation description is sent via a multimedia message);

and downloading a portion of the incoming message having a pre-determined duration for a user to view on the terminal, if the message contains rich media contents (0099, 0104-0107, a portion of the media content within the multimedia message is streamed to the user (i.e. in sub-parts) based on user permission and selection of whether and when to receive playback of media content).

As to claim 22, Mostafa teaches the method of claim 21, wherein the step of determining includes a step of parsing an attachment of the notification to determine whether the message contains rich media contents, the attachment containing information about a media type of the incoming message (0104-0105).

As to claim 24, Mostafa teaches the method of claim 21, further comprising a step of displaying the downloaded portion of the incoming message on the terminal, in response to a user's command (0107).

As to claim 25, Mostafa teaches the method of claim 24, further comprising a step of saving the downloaded portion of the incoming message on a storage element of the terminal (0102-0105).

As to claim 26, Mostafa teaches the method of claim 21, further comprising a step of notifying a user of the incoming message (0096, 0103-0104).

As to claim 27, Mostafa teaches the method of claim 21, further comprising a step of accessing the remaining of the incoming message (0105-0108).

As to claim 28, Mostafa teaches the method of claim 27, further comprising a step of modifying an attachment file to the incoming message to indicate the starting point of the incoming message for accessing (0027, 0098-0099, 0114).

As to claim 30, Mostafa teaches the method of claim 21, further comprising a step of connecting the terminal to a server storing the incoming message for accessing the remaining of the incoming message (0105-0107);

wherein the pre-determined duration is sufficiently long for connecting the terminal to the server so as to allow the user to view the whole incoming message on the terminal in a continuous manner (0099, 0105, 0114).

As to claim 31, Mostafa teaches a method performed at a multimedia message service server, comprising the steps of:

receiving an incoming multimedia message (0096-0098, multimedia messages with multimedia content are received);

determining whether the incoming message contains rich media contents (0096-0098, 0104, a notification containing presentation description is sent via a multimedia message);

and delivering a new multimedia message to a receiving mobile terminal, if the incoming message contains rich media contents (0099, 0104-0108, a portion of the media content within the multimedia message is streamed to the user (i.e. in sub-parts) based on user permission and selection of whether and when to receive playback of media content and additional clips are also provided).

As to claim 32, Mostafa teaches the method of claim 31, wherein the new multimedia message includes a portion of the incoming message having a pre-determined duration (0105, 0108).

As to claim 33, Mostafa teaches the method of claim 31, wherein the new multimedia message includes an advertisement (0096-0097, 0108).

As to claim 34, Mostafa teaches the method of claim 31, further comprising a step of creating an attachment file to the new multimedia message, indicating where the incoming message may be accessed (0104).

As to claim 36, Mostafa teaches the method of claim 31, further comprising a step of creating the new multimedia message (0012, 0027-0028, 0096).

As to claim 37, Mostafa teaches the method of claim 36, further comprising the steps of: saving the incoming message in a pre-selected location (0103);

and copying a portion of the incoming message for including in the new multimedia message (0105-0106).

As to claim 38, Mostafa teaches the method of claim 37, wherein the pre-selected location is in a storage element of a media server (0102-0103).

As to claim 39, Mostafa teaches the method of claim 32, wherein the pre-determined duration is sufficiently long for the receiving mobile terminal to connect to a server storing the incoming message so as to allow the user to view the whole incoming message on the terminal in a continuous manner (0099, 0105, 0114).

As to claim 40, Mostafa teaches the method of claim 33, wherein the pre-determined duration is as long as is substantially required for the receiving mobile terminal to connect to a server storing the incoming message so as to allow the user to view the whole incoming message on the terminal in a substantially continuous manner (0099, 0105, 0114).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 3, 9, 15, 23, 29, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mostafa further in view of Bertin (US Pub No 2004/0163122 A1).

As to claims 3, 9, 15, 23, 29, and 35, Mostafa teaches a file storing session description information. However, Mostafa does not explicitly indicate that this file is a SDP file.

Bertin teaches an invention in which broadcasting/streaming data is accompanied with a descriptie file based on SDP (abstract, 0059, 0075).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Bertin into those of Mostafa to make the system better standardized. SDP enables one to convey information on the contents of all the information useful to the terminals to acquire them. By allowing a standard protocol to dictate the information, greater automation, clarity, and precision can be achieved.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASAD M. NAWAZ whose telephone number is (571)272-3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Asad M Nawaz/
Examiner, Art Unit 2155